



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

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In accordance with notice to members of the Rhode Island Coastal Resources Management Council's Planning and Procedures subcommittee, a meeting of the subcommittee was held on Tuesday, July 21, 2009 at CRMC, Stedman Government Center, Wakefield, RI.

MEMBERS PRESENT

Michael M. Tikoian, Chair
Paul Lemont, Vice Chair
Bruce Dawson
Russ Chateaufneuf, DEM

STAFF PRESENT

Jeff Willis, Deputy Director
James Boyd, Coastal Policy Analyst
Dave Beutel, Aquaculture Coordinator
Laura Ricketson Dwyer, Public Ed/Outreach Coord

Brian Goldman, Legal Counsel

OTHERS PRESENT

Doug Groff

Call to Order. Mr. Lemont called the meeting to order at 8:30 a.m.

Mr. Lemont asked for a motion to approve the May 19, 2009 meeting minutes.

Mr. Dawson seconded by Mr. Chateaufneuf moved to approve the meeting minutes of May 19, 2009. All voted in favor of the motion to approve.

Item 3.A. Open Space Lots and SAMP Density Requirements. J. Boyd explained the intent of addressing the issue: when subdivision applications of six units or more contain an open space lot(s) that are factored out of the total division of lots, and the remaining buildable lots are less than six unit, the density requirements of a SAMP regulation should not be invoked. B. Goldman noted that the trigger for this to work is the word "buildable" and that any open space lot so accepted has to be recorded in perpetuity in the municipalities land evidence records.

Subcommittee discussion was favorable and asked staff to propose language that addresses the discussions and return at a future meeting for action.

Mr. Tikoian arrived and asked Mr. Lemont to continue.

Item 4.A. Management Procedures Section 4.3.2 – Schedule of Fees. J. Willis and B. Goldman explained that the application fees for residential docks, beach vehicle permits and structural shoreline protection facilities were all identified through the FY2010 budgetary proceedings as areas where the Council could increase its revenues.

Mr. Tikoian asked if the enacted FY2010 budget contained a directive to the Council to increase these fees. B. Goldman and J. Willis explained that these fee increases were included as revenue figures from the Department of Administration, as part of their budget scenarios to the House Finance Committee

while the budget was undergoing deliberations during the recently-concluded legislative session and that the enacted FY2010 budget was predicated on these new revenues however.

*Mr. Dawson seconded by Mr. Chateaufeuf moved to begin rule-making on the fee increases as presented. **The motion was approved, with Mr. Tikoian voting no.***

Item 4.B. Section 300.11 - Aquaculture. D. Beutel explained how the Aquaculture Working Group had meet over the past year to develop, among other issues, recommended revisions to the CRMP's aquaculture regulations. D. Beutel gave an update on the 5% maximum area coverage for any given pond. The subcommittee noted that the proposed changes contained unanswered questions posed by the working group and that prior to addressing the merits of the revisions, those questions should be finalized.

Staff was directed to address this issue and bring the revisions back to the subcommittee and a future date.

Item 4.C. Metro Bay SAMP Urban Coastal Greenway Policy Amendments. J. Boyd presented that the proposed revisions to various sections of the UCG policy were to make clear that regardless of the permitting option selected by applicants within the Metro Bay SAMP area, all projects must comply with the 15% vegetative cover and 100% stormwater management standards in UCG Section 150.1.

*Mr. Tikoian seconded by Mr. Dawson moved to begin rule-making on the revisions as presented. **The motion was approved on an unanimous voice vote.***

Item 5.A. USFWS Correspondence – No Wake Zone/Narrow River. J. Willis presented the issue of the U.S. Fish & Wildlife Service seeking Council intervention into requiring that the Town of Narragansett restore the No Wake Zone as previously established due to the reduced area causing significant erosion of adjacent salt marshes and undermining their value to the Narrow River ecosystem.

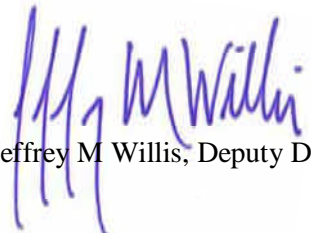
J. Willis presented the USFWS materials in support of their position. The Audubon Society of Rhode Island also sent a letter in support of the USFWS position.

J. Willis and B. Goldman explained that the Council does not generally need to act on a municipal police action such as vessel speed zones and other legislatively-allowed marine police actions, but that given the salt marsh resource issues presented by the USFWS, the Council could interject itself into the issue as the primary manager of the coastal resources and their protection, which would trump local marine management issues such as speed zones.

The subcommittee directed staff to provide an analysis of the issue relative to Council jurisdiction and its role of primary coastal resource manager for the next meeting.

ADJOURNMENT. Mr. Chateaufeuf, seconded by Mr. Dawson moved to adjourn the subcommittee meeting. All voted in favor of the motion and the meeting was adjourned at 9:31 a.m.

Respectfully submitted by


Jeffrey M Willis, Deputy Director